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Date:

Feb 2, 2007

By:

Winsome St Rose

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Dieter Heindl, et al

SERIAL NO.: 10/635,171

FILED: August 6, 2003

FOR: IMPROVED FLUORESCENT RESONANCE  
ENERGY TRANSFER PROBES

)

) EXAMINER: Amanda Marie Shaw

) ART UNIT: 1634

) Confirmation No. 1366

) DOCKET NO. 21339-US

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Disclosures  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure requirements of 37 C.F.R. § 1.56 1.97 and 1.98, Applicants submit herewith a Form-1449, listing accompanying documents which may be material to the examination of this application.

This Information Disclosure Statement is being filed after the mailing date of the first Office action on the merits.

Accompanying this transmittal is the fee \$200.00 as set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c). The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 50-0812.

Applicants wish to provide the USPTO with copies of US Patent No. 4,996,143 which is the equivalent to Japanese Patent 62-157570, and WO 93/09128, which is equivalent to Japanese Patent 7-502992.

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This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested.

Respectfully submitted,

Date: 2/1/07

  
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Substitute for Form 1449/PTO

Complete if known

Application Number	10/635,171
Filing Date	August 6, 2003
First Named Inventor	Dieter Heindl, et al.
Group Art Unit	1634
Examiner Name	Amada Marie Shaw
Attorney Docket No.	21339-US
Date Submitted	Even date herewith

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
SUPPLEMENTAL  
PTO-1449**

Sheet

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Of

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## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, lines Where relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
	1	4,996,143		Heller, et al.	02-26-91	
	2	6,849,745	B2	Lee, et al.	02-01-05	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, lines Where relevant Passages or Relevant Figures Appear	T
		Country Code	Number	Kind Code				
	3	PCT	WO 93/09128		Nanotronics, Inc	05-13-93		
	4	PCT	WO 99/55913		Sidney Kimmel Cancer Center	11-04-99		
	5	PCT	62-240864 <sup>1</sup>		Syngene, Inc.	10-21-87		
	6	JP	7-502992 <sup>2</sup>		Nanotronics, Inc	03/30/95		

## OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the items (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published	T
	7	MERGNY, J, et al, 1994, "Fluorescence energy transfer as a probe for nucleic acid structures and sequences", <i>Nucleic Acids Research</i> , 22 (6): 920-928	

Examiner's Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.